

Vincent S. Cimini, Esq.
PA#60463
Sal Cognetti, Jr., Esq.
PA#17269
FOLEY, COGNETTI, COMERFORD,
CIMINI & CUMMINS
507 Linden St.
700 Electric Bldg.
Scranton, PA 18503
346-0745

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN DOE, JOHN DOE, SR. and	:
JANE DOE,	:
Plaintiffs	:
	:
vs.	:
	:
FATHER ERIC ENSEY, FATHER CARLOS	:
URRUTIGOITY, DIOCESE OF SCRANTON,	: DOCKET NO. 3:CV-02-0444
BISHOP JAMES C. TIMLIN, THE	:
SOCIETY OF ST. JOHN, THE PRIESTLY	:
FRATERNITY OF ST. PETER, and	:
ST. GREGORY'S ACADEMY,	: (JOHN E. JONES, III)
Defendants	:

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STATEMENT OF MATERIAL FACTS OF DEFENDANTS
FATHER ERIC ENSEY, FATHER CARLOS URRUTIGOITY AND
THE SOCIETY OF ST. JOHN SUBMITTED IN SUPPORT OF
THEIR MOTION FOR SUMMARY JUDGMENT
(Electronically Filed)

1. Plaintiffs, John Doe, John Doe, Sr. and Jane Doe, filed this action on March 20, 2002.
2. Plaintiff John Doe was born on May 16, 1981.
3. Plaintiff John Doe attained the age of majority on May 16, 1999.

4. Plaintiff John Doe alleges that the Defendant Father Eric Ensey sexually assaulted him on occasions between May of 1998 and May of 1999 while he was a student at St. Gregory's Academy, a Catholic boarding school operated by the Defendant, the Priestly Fraternity of St. Peter, in Elmhurst, Pennsylvania.

5. Plaintiff John Doe alleges that the Defendants Father Eric Ensey, Father Carlos Urrutigoity each separately sexually assaulted him on two or three occasions in September or October of 2000 while Plaintiff was at the Society of St. John's residence in Shohola, Pike County, Pennsylvania.

6. Plaintiffs do not allege that the Plaintiff parents were present during any of the incidents of alleged sexual abuse.

Respectfully submitted,

FOLEY, COGNETTI, COMERFORD,
CIMINI & CUMMINS

BY: _____
VINCENT S. CIMINI, ESQ.
SAL COGNETTI, JR., ESQ.
ATTORNEYS FOR DEFENDANTS
FATHER ERIC ENSEY, FATHER
CARLOS URRUTIGOITY AND
SOCIETY OF ST. JOHN

DATE: June 4, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing STATEMENT OF MATERIAL FACTS OF DEFENDANTS FATHER ERIC ENSEY, FATHER CARLOS URRUTIGOITY AND THE SOCIETY OF ST. JOHN SUBMITTED IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT was served upon counsel of record herein by first class, United States mail, postage prepaid, on the 4th day of June, 2004 in the instant action addressed as follows:

James Bendell, Esq.
P. O. Box 587
2535 Ivy Street
Port Townsend, WA 98368

Harry T. Coleman, Esq.
148 Adams Avenue
Scranton, PA 18503
(Co-Counsel for Plaintiffs)

Joseph O'Brien, Esq.
OLIVER, PRICE & RHOADES
1212 S. Abington Road
P. O. Box 240
Clarks Summit, PA 18411
And
James O'Brien, Esq.
538 Spruce Street, Suite 504
Scranton, PA 18503
(Both are counsel for
Diocese of Scranton
And
Bishop James C. Timlin)

Joseph F. Leeson, Jr., Esq.
LEESON & LEESON
70 East Broad Street
P. O. Box 1426
Bethlehem, PA 18016
(Counsel for Priestly Fraternity of Saint Peter
and Saint Gregory's Academy)

FOLEY, COGNETTI, COMERFORD
& CIMINI

BY: _____
VINCENT S. CIMINI, ESQ.

